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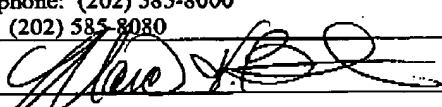
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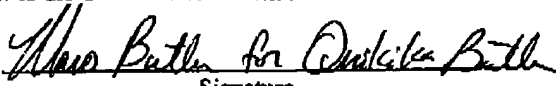
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Docket No. 740756-002670

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/713,219
		Filing Date	November 17, 2003
		First Named Inventor	Shinji Maekawa et al.
		Group Art Unit	2813
		Examiner Name	Laura M. Shillinger
Total Number of Pages in This Submission		Attorney Docket Number	740756-002670

ENCLOSURES <i>(check all that apply)</i>		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> One-Month Extension of Time <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement w/PTO 1449 form <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/Incomplete Application (\$_____)	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) 4 pages (Figs. 1-5) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$_____)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (\$_____) <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney to Prosecute Applications Before the USPTO <input type="checkbox"/> Terminal Disclaimer (\$_____)	<input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	
Remarks <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
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Signature	
Date	April 5, 2007

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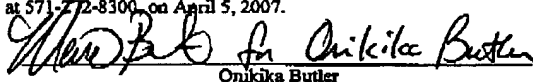
APR 05 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
 Shinji Maekawa et al.) Group Art Unit: 2813
 Serial No. 10/713,219) Examiner: Laura M. Schillinger
 Filed: November 17, 2003)
 For: METHOD FOR FABRICATING THIN) Date: April 5, 2007
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 Onkika Butler

REQUEST FOR RECONSIDERATION

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Sir:

In reply to the Final Office Action dated January 5, 2007, the non-fee period for response to which extending through April 5, 2007, Applicants respectfully request that the Examiner reconsider the outstanding grounds for rejection for the following reasons.

As discussed on page 2 of the outstanding Final Office Action, the Examiner rejected claims 1, 3, 18, 20, 27, 29, 36, and 38 under 35 U.S.C. § 102(e) as allegedly being anticipated by Ichijo et al. (U.S. Patent No. 6,821,828). Ichijo et al., however, fails to render the claimed invention unpatentable. Each of the claims recite a specific combination of features that distinguishes the invention from the prior art in different ways. For example, independent claims 1 recites a combination that includes, among other things:

forming a first amorphous semiconductor film . . . forming a material including a metal element to promote crystallization over the first amorphous semiconductor film . . . heating the first amorphous semiconductor film to form a first crystalline semiconductor film . . . forming a second amorphous semiconductor film over the first crystalline semiconductor film by sputtering,

(claim 1, ll. 2-8). Independent claim 3 recites yet another combination that includes, inter

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alia,

forming a first amorphous semiconductor film . . . forming a material including a metal element to promote crystallization over the first amorphous semiconductor film . . . forming a second amorphous semiconductor film over the first amorphous semiconductor film by sputtering,

(claim 3, ll. 2-6). At the very least, Ichijo et al. fails to expressly disclose or suggest any of these exemplary features recited in the independent claims 1 and 3.

For example, the Examiner cites an excerpt from Ichijo et al. (col. 8, ll. 64-66) which states "(t)ypically an amorphous semiconductor film . . . is applied and formed at a thickness of 10nm to 100nm by plasma CVD method, a low pressure CVD method, or a sputtering method." The Examiner thereby concludes that Ichijo et al. teaches that any amorphous semiconductor film may be deposited by any of these methods and therefore constitutes a teaching that the second amorphous semiconductor film may be made by sputtering as recited in claims 1 and 3.

However, the excerpt from which the Examiner cites specifically refers to forming the first (emphasis added) semiconductor film by sputtering (e.g., see Ichijo et al. col. 8, l. 59), whereas the claimed invention includes "forming a first amorphous semiconductor film" and "forming a second (emphasis added) amorphous semiconductor film . . . by sputtering" as recited above. In making this rejection, the Examiner appears to have taken the position that Ichijo et al. teaches forming any amorphous semiconductor film by sputtering. This rejection under 35 U.S.C. §102(e) is improper.

The Manual of Patent Examining Procedure ("MPEP") specifically states that for anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present (M.P.E.P. 706.02). Referring to Ichijo et al., the reference does not expressly disclose the limitation regarding the method of forming the second semiconductor film, as claimed, since it is silent on the formation method. Furthermore, Ichijo et al. fails to teach the combination (emphasis added) of "forming a first amorphous semiconductor film . . . forming

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a second amorphous semiconductor film . . . by sputtering" as recited in independent claims 1 and 3. Of course, a patentability determination in the instant application is different from an infringement analysis of the claims of Ichijo et al., in that, an infringing method that includes sputtering of a second film could still infringe the claims of Ichijo et al. However, since each and every element, as set forth in the claims of the instant application are not found in Ichijo et al., this patent cannot be said to anticipate the invention as recited in independent claims 1 and 3 under 35 U.S.C. § 102(e). Hence, withdrawal of the rejection is respectfully requested.

Claims 18, 27 and 36 depend from independent claim 1 and are patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 1.

Claims 20, 29 and 38 depend from independent claim 3 and are patentable over the cited prior art for at least the same reasons as set forth above with respect to claim 3.

In addition, each of the dependent claims also recite combinations that are separately patentable.

In view of the foregoing remarks, this claimed invention, as amended, is not rendered obvious in view of the prior art references cited against this application. Applicant therefore request the entry of this response, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Should the Examiner believe that a telephone conference would expedite issuance of the application, the Examiner is respectfully invited to telephone the undersigned patent agent at (202) 585-8316.

Respectfully submitted,



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